

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CAPITAL ONE, NATIONAL ASSOCIATION,

Plaintiff,  
-against-

Civil Action No.: 12-cv-5025  
(JMF)

201 W 134 ST LLC, GERALD MIGDOL a/k/a JERRY MIGDOL, and "JOHN AND/OR JANE DOE #1" to "JOHN AND/OR JANE DOE # 5" inclusive, the last five named persons being unknown to plaintiff, the persons and parties intended being the tenants, occupants, persons, entities, or corporations, if any, having or claiming upon the premises at 201 West 134<sup>th</sup> Street a/k/a 2280 Adam Clayton Powell Jr. Boulevard, New York New York, a four-story, single-dwelling building, as more fully described in the complaint,

ECF Case

Defendants.

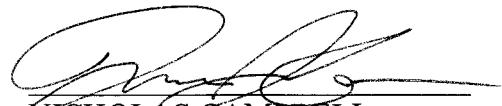
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**CERTIFICATE OF SERVICE**

NICHOLAS CAMPBELL, being duly sworn, deposes and says:

1. I am over the age of eighteen years, I am employed by Schiff Hardin LLP, located at 666 Fifth Avenue, New York, NY, 10103 and I am not a party to the above entitled action.
  
2. On the 28<sup>th</sup> day of September, 2012, I caused a true and correct copy of the following to be served *via* ECF electronic mail to the persons on the attached service list:

- Plaintiff's Memorandum of Law in Opposition to Defendants' Motion to Dismiss
- Declaration of Thomas P. Battistoni in Opposition to Defendants Motion to Dismiss



NICHOLAS CAMPBELL

Sworn to before me this  
28<sup>th</sup> day of September, 2012



Notary Public

**Andrew McLaughlin**  
**Notary Public, State of New York**  
**No. 01MC6150540**  
**Qualified in Nassau County**  
**Commission Expires July 31, 2014**

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:12-cv-05025-JMF**

**SERVICE LIST**

<b>Capital One, National Association</b>  <i>Plaintiff</i>	<b>Patricia A. Pileggi</b> Schiff Hardin LLP 666 Fifth Ave., 17th Floor New York, NY 10103 (212) 745-0839 Fax: (212) 745-5044 Email: ppileggi@schiffhardin.com  <b>Thomas Patrick Battistoni</b> Schiff Hardin LLP 666 Fifth Ave., 17th Floor New York, NY 10103 (212) 745-0877 Fax: (212) 753-5044 Email: tbattistoni@schiffhardin.com  <i>Counsel to Plaintiff</i>
<b>201 W 134 St LLC</b>  <i>Defendant</i>	<b>Aaron Migdol</b> The Law Office of Aaron Migdol 223 West 138th Street New York, NY 10030 (212) 283-4423 Fax: (212) 283-4424 Email: aaronmigdol@migdolnyc.com  <i>Counsel to Defendant</i>

<p><b>Gerald Migdol</b> <i>also known as</i> Jerry Migdol</p> <p><i>Defendant</i></p>	<p><b>Aaron Migdol</b> The Law Office of Aaron Migdol 223 West 138th Street New York, NY 10030 (212) 283-4423 Fax: (212) 283-4424 Email: aaronmigdol@migdolnyc.com</p> <p><i>Counsel to Defendant</i></p>
<p><b>New York State Department of Taxation and Finance</b></p> <p><i>Defendant</i></p>	<p><b>To all parties entitled to receive notice electronically via the Court's electronic docket.</b></p>
<p><b>John and/or Jane Doe #1 to John and/or Jane Doe #5</b></p> <p><i>Defendant</i></p>	<p><b>To all parties entitled to receive notice electronically via the Court's electronic docket.</b></p>